

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Stoney Burt McIntyre

Docket No. 5:95-CR-83-9BO

Petition for Action on Supervised Release

COMES NOW Keith W. Lawrence, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Stoney Burt McIntyre, who, upon an earlier plea of guilty to Count 1- Conspiracy to Possess With Intent to Distribute and to Distribute Cocaine and Cocaine Base, in violation of 21 U.S.C. §§ 841(a)(1) and 846 and Count 7- Use of a Firearm During a Drug Trafficking Offense and Aiding and Abetting, in violation of 18 U.S.C. §§ 924 (c)(1) and 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on April 9, 1996, to the custody of the Bureau of Prisons for a term of 180 months in Count 1 and 60 months in Count 7 to run concurrently to Count 1. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall submit a written weekly report to the probation office, if not regularly employed, of attempts to secure gainful employment.
3. The defendant shall support his dependents.

Stoney Burt McIntyre was released from custody on August 20, 2013, at which time the term of supervised release commenced. On December 1, 2013, as a result of the defendant testing positive for the use of marijuana on November 13, 2013, the court modified the conditions of supervised release to include:

The defendant shall participate in a cognitive behavioral program as directed by the probation office.

On January 2, 2014, as a result of the defendant testing positive for the use of marijuana on December 18, 2013, a Violation Report was forwarded to the court.

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On April 23, 2014, the defendant submitted a urine specimen which tested positive for marijuana. As a sanction for this conduct, and in an effort to deter future drug use, we are recommending that the conditions of supervised release be modified to include three days in jail. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of three days, commencing as soon as can be scheduled by his probation officer and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

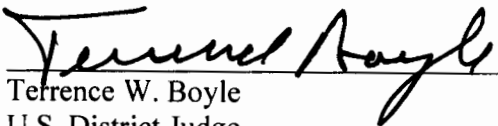
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Keith W. Lawrence
Keith W. Lawrence
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: May 1, 2014

ORDER OF COURT

Considered and ordered this 5 day of May, 2014, and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge